

**PUBLIC MEETING  
May 20, 2010  
MINUTES**

Chairman Mike Murray called the meeting to order at 10 a.m. Commissioners Derek Brown and Andy Hunthausen were present. Others attending all or a portion of the meeting included Jeff Sealey, Katie Jerstad, Paul Stahl, Eric Bryson, Kelly Blake, Laura Erikson, Diana Maneta, Audra Zacherl, Eric Griffin, Rebecca Shaw, Jesse Whitford, Mike Murphy, Leonard Ennis, Rod Henning, Aaron Helfert, Jack Walsh, Patricia Burke, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Resolution 2010-170 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2007 and June 30, 2008 from the County Clerk's Office Pursuant to Sec. 76-2607, MCA. (Paulette DeHart)
- b. Resolution 2010-171 Declaring County Property Surplus Property. (Amy Reeves)
- c. Resolution 2010-172 Ordering a Refund of Taxes/Fees/Assessments Paid by Edward and Deborah Tyanich in the Amount of \$251.70. (Cheryl Green)
- d. Resolution 2010-173 Ordering a Refund of Taxes/Fees/Assessments Paid by Capital Hill Mall Partnership in the Amount of \$3,107.33. (Cheryl Green)
- e. Resolution 2010-174 Ordering a Refund of Taxes/Fees/Assessments Paid by Catherine Champion-Predmore in the Amount of \$151.59. (Cheryl Green)
- f. Noxious Weed Trust Fund Project Grant Agreement – Silver Creek Ranchettes, No. MDA 2010-077. (Larry Hoffman)
- g. Lincoln Community Hall Restoration Project Grant Request to Lewis and Clark County Community Foundation in the Amount of \$700. (Rebecca Shaw)

Eric Bryson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Hunthausen moved approval of the consent action items and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 3-0.

Request for Extension of Preliminary Plat for Wheat Ridge Estates Phase III Major Subdivision to May 11, 2011. (Applicant: Aaron Helfert) (Planner Michael McHugh) (Cont'd. from 5/18/10) A major subdivision creating 80 lots for single-family dwellings located in the NW ½ Sec. 36 T10N R2W.

Deputy County Attorney Jeff Sealey reported on legal staff's research about extending the preliminary approval period. Mr. Helfert has been informed of staff's legal opinion and wanted to proceed with his request to extend that preliminary approval period.

Commissioner Brown moved that staff be directed to explore the possibilities of an

agreement with Mr. Helfert to extend the preliminary plat. Commissioner Hunthausen seconded the motion and added a friendly amendment that the extension agreement be considered on Thursday, June 3. The motion maker concurred. The motion carried 3-0.

Bid Opening for the Construction of East Helena Sidewalks CTEP Project STPE – SRTS 25(67) Cn 6706. (Rebecca Shaw) The project consists of installation of new sidewalk along the north side of Clinton St. in East Helena, MT, from Radley Elementary School to East Valley Middle School, and also along the east side of Lake Helena Drive in Lewis and Clark County, MT, for about 0.2 miles north and 0.2 miles south of Eastgate Elementary School. The project includes a Base Bid (Schedules 1, 2, and 5) and two additive alternates (Schedules 3 and 4).

Patricia Burke from Stahly Engineering assisted in opening the bids.

Bid No. 1, Hamlin Construction. Base bid of \$196,586.90. Additive alternative for Schedule 3 for the concrete is \$300,413.17. Asphalt Option: \$25,662.84. Schedule 4 Additive Alternative is \$25,499.03 for the concrete. Asphalt option: \$21,378.50.

Bid No. 2, Rod Tabbert Construction, Inc. Helena. Base bid of \$216,633.65. Additive Alternative for Schedule 3 concrete is \$32,023.40. Asphalt Option: \$14,194.00. Schedule 4 Concrete Option is 26,707.60. Asphalt option: \$11,891.00.

Bid No. 3, Pioneer Mountain Substructures, LLC, Gallatin Gateway, Montana. No addendum acknowledgements were included in the bid packet.

Bid No. 4, White Resources, LLC, Butte. Base bid of \$270,029.25. Additive Schedule 3 for the concrete is \$38,538.00. Asphalt option: \$41,407.00. Schedule 4: \$32,004.50. Asphalt option: \$34,736.90.

Bid No. 5, Northside Welding and Fabrication, Inc. Base bid of \$276,044.10. Additive alternative of \$46,291.01. Asphalt option: \$44,937.60. Schedule 4: \$38,710.85. Asphalt option: \$37,064.50.

Bid No. 6, William R. Lane Construction, Inc., Toston. Base bid of \$258,689.00. Additive alternative is \$44,008.00. Asphalt option: \$30,720.00. Schedule 4: \$37,132.00. Asphalt option: \$26,000.00.

Bid No. 7, Diamond Construction, Helena. No signed proposal.

Commissioner Hunthausen moved to have staff take the bids under advisement and recommend awarding them at a future public meeting. Commissioner Brown seconded the motion. The motion carried 3-0.

Bid Award for the Purchase of Six (6) New Motor Graders. (Audra Zacherl) The Lewis and Clark County Public Works Department is soliciting competitive bids from interested

parties for the purchase of six (6) new motor graders. Eric Griffin gave a history of where the county has been with motor graders in the last 20 years.

Audra Zacherl reported that the review committee determined that the county would benefit by purchasing a 5-year comprehensive warranty with the six new motor graders, and that the bid be awarded with the lowest purchase price to Tractor and Equipment Company, Billings, Montana. The total purchase amount for the six new motor graders, plus a 5-year comprehensive warranty on each of the graders is \$1,317,000, less the \$455,000 trade-in that T&E offered on our current fleet, resulting in a total bid award amount of \$862,000. Budget authority for this purchase is in fiscal year 2010 at the amount of \$770,000.

The Road Department would need additional budget authority in the amount of \$92,000 for this purchase. The actual expenditure will not occur until fiscal year 2011. A loan in the amount of \$250,000 will be applied for either an InterCap loan or a commercial loan, depending on the interest rates, for a term not to exceed three years.

Staff recommended that the Board award the bid for the purchase of six new motor graders to Tractor and Equipment Company, Billings, Montana, for the total bid award amount of \$862,000 and authorize the Chair to sign all contract and loan documents.

No public comments were received.

Commissioner Hunthausen moved to approve the staff recommendation and authorized the Chair to sign any applicable contract and loan documents. Commissioner Brown seconded the motion. The motion carried 3-0.

Bid Award for the Construction of Sierra Park Road & Parking Lot Improvements Project. (Audra Zacherl) The project consists of road reconstruction of the Sierra Park Access Road. Base Bid also includes reshaping parking lot site, and shaping drainage swale. Project includes two (2) additive bids: 1) Reconstruction of the existing parking lot, and 2) Asphalt paving (860 tons) of the parking lot improved under Additive Bid #1.

Audra Zacherl reported that the bids consisted of a base bid to reconstruct approximately 760 feet of the Sierra Park access road, also known as Marcella Burke Drive, and grading the parking lot, including application of dust control. Also, there were two additive bids to reconstruct the existing parking lot, curb and gutter, and concrete sidewalk and also paving the parking lot. Currently, no funds are available to award the additive bids.

Staff recommended that the Board award only the base bid to Helena Sand and Gravel of Helena, Montana, for the base bid amount of \$55,829.00 and authorized the Chair to sign all applicable contract documents.

No public comments were received.

Commissioner Brown moved approval of the award as recommended by staff and authorized the Chair to sign appropriate documents. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Presentation of Earth Day Survey Results. Diana Maneta presented the results of the Lewis and Clark County Earth Day Survey. The on-line survey was distributed to the county community on Earth Day, April 22 to solicit input and suggestions from the community on such topics as public transportation, recycling and energy conservation opportunities in our community. More than 800 residents responded to the survey. A summary of some of the highlights were reviewed.

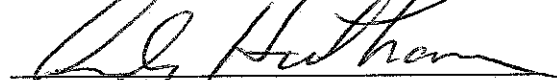
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 11:02 a.m.

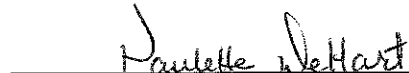
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Michael A. Murray, Chairman

  
Derek Brown

  
Andy Hunthausen

ATTEST:

  
Paulette DeHart, Clerk of the Board